

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Case No. 3:09CV535-W

United States, *ex rel.* [X], BRINGING )  
THIS ACTION ON BEHALF OF THE )  
UNITED STATES OF AMERICA and the )  
STATE OF NORTH CAROLINA, )  
Plaintiffs, )  
v. )  
NEXTCARE, INC., )  
Defendant. )

**ORDER**

THIS MATTER is before the Court on the United States' Notice of Intervention, Settlement, and Dismissal, and Motion to Lift Seal (Doc. No. 40); United States' Amended Notice of Intervention, Settlement, and Dismissal, and Motion to Lift Seal (the "United States' Amended Notice and Motion") (Doc. No. 41); and the United States' Motion for Leave to File and Amended Notice (Doc. No. 42).

IT IS THEREFORE ORDERED that for the reasons stated in the motions, the Court GRANTS the Motion for Leave to File (Doc. No. 42) and GRANTS the United States' Amended Notice and Motion (Doc. No. 41). The original Notice of Intervention, Settlement and Dismissal, and Motion to Lift Seal (Doc. No. 40) is DENIED AS MOOT.

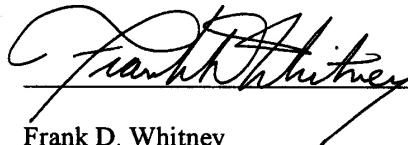
IT IS FURTHER ORDERED that:

1. the Relator's original Complaint and Amended Complaints, the United States' Notice of Intervention, Settlement, and Dismissal, and Motion to Lift Seal, the United States' Amended Notice and Motion and this Order be unsealed;

2. all other papers or Orders on file in this matter shall remain under seal;
3. the seal shall be lifted on all matters occurring in this action after the date of this Order;
4. this action is dismissed pursuant to the terms of the Settlement Agreement effective June 4, 2012 (“Settlement Agreement”), and the Clerk is respectfully DIRECTED to close this case; and
5. the Court shall retain jurisdiction over this matter to enforce the terms of the Settlement Agreement.

**SO ORDERED.**

Signed: June 20, 2012



---

Frank D. Whitney  
United States District Judge

